

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

December 3, 2001
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Mosher, Deputy Mayor Marshall, Councilmembers Creighton, Davidson, Degginger, and Noble

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:02 p.m. by Mayor Mosher, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Mr. Lee were present. Mayor Mosher led the flag salute.

3. Communications: Written and Oral: None.

4. Reports of Community Councils, Boards and Commissions

Lesley Stuart, Chair of the Parks and Community Services Board, read a letter to Council articulating the Board's interest in historical preservation.

5. Report of the City Manager

City Manager Steve Sarkozy announced that Bellevue placed fourth in a national evaluation by the Center for Digital Government for the City's use of web-based applications that enhance citizens' access to government. The award will be presented at the upcoming National League of Cities conference in Atlanta.

6. Council Business

Councilmembers provided their reports in the earlier study session.

7. Approval of the Agenda

- ➡ Mrs. Marshall moved to approve the agenda, and Mr. Noble seconded the motion.
- ➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Dr. Davidson requested pulling item 8(d) for Council discussion.

- ➡ Mrs. Marshall moved to approve the Consent Calendar, as amended, and Mr. Creighton seconded the motion.
- ➡ The motion to approve the amended Consent Calendar carried by a vote of 6-0, and the following items were approved:
 - (a) Minutes of November 13, 2001 Extended Study Session
 - (b) Resolution No. 6623 adopting the State Legislative Agenda and State Legislative Policy Statement for the 2002 legislative session.
 - (c) Motion to approve payment of claims for the period ending November 21, 2001, and payroll for the period November 1 through November 15, 2001.
 - (e) MEBT and Bellevue Section 457 Plan Amendments
 - (1) Resolution No. 6624 regarding the Municipal Employees Benefit Trust; and authorizing the City Manager to execute the City of Bellevue Employees Retirement Benefit Plan, Amended and Restated Agreement, and the Employees Retirement Benefit Plan, Economic Growth and Tax Relief Reconciliation Act of 2001 Good Faith Amendment.
 - (2) Resolution No. 6625 relating to Bellevue Section 457 Plans; and authorizing the City Manager to execute the Plan amendments for the Economic Growth and Tax Relief Reconciliation Act of 2001 for the International City/County Managers Association Retirement Corporation and for Nationwide.
 - (f) Resolution No. 6626 authorizing execution of an agreement with Standard Insurance for group term and voluntary life insurance.
 - (g) Motion to award Bid No. 0147 for installation of a left-turn lane on SE 60th Street, 116th Avenue SE to 118th Avenue SE, at Eastside Catholic High School as part of a *Neighborhood Enhancement Project in the Newport Hills neighborhood* in the amount of \$65,680 to AAA Rockery and Construction as low bidder.

- (h) Resolution No. 6627 authorizing execution of all documents necessary for the purchase from Susan M. Stewart and John F. Stauch of certain real property located at 4402 140th Avenue NE in lieu of condemnation for offsite wetland mitigation in the amount of \$385,000 plus closing costs for the extension of NE 29th Place between 148th Avenue NE and NE 24th Street and installation of a traffic signal at NE 24th Street in the Overlake area as part of a package of improvements designed to maintain adopted roadway level of service standards as agreed to in the Bel-Red Overlake Transportation Study. (CIP Plan No. PW-R-60)
- (i) Resolution No. 6628 authorizing execution of a consultant agreement with the Washington State Transportation Center to provide planning services for the Eastside Concurrency Study in the amount of \$250,000.
- (j) Ordinance No. 5334 authorizing and providing for the acquisition of interests in land for the purpose of improvements to Factoria Boulevard, SE 3600 block to SE 41st Place; providing for condemnation, appropriation, taking and damaging of land and property rights necessary therefore; providing for the cost thereof and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation. (CIP Plan No. PW-R-16)
- (k) Ordinance No. 5335 authorizing execution of a grant agreement (and supplements if necessary) with the Washington State Department of Transportation Office of Local Programs to accept \$65,000 in Federal Emergency Relief funds for the repair of Lakemont Boulevard Bridge due to the Nisqually earthquake; authorizing expenditures of said grant funds; amending the project budget for CIP Plan No. PW-M-8, Minor Capital Improvements – Streets; amending the General CIP Plan budget by appropriating anticipated revenue in excess of estimated revenue thereto; and authorizing an interfund loan to cover temporary cash flow shortages that may result from related grant activity. (CIP Plan No. PW-M-8)
- (l) Ordinance No. 5336 establishing a Residential Permit Parking Zone 14 with “No Parking 7am-4pm, Except Saturday, Sunday and Holidays, Except by Zone 14 Permit” on both sides of 146th Avenue SE from 145th Place SE to SE 28th Street, 145th Avenue SE from SE 26th north to end of cul-de-sac, and SE 26th Street from 145th Place SE west to end of cul-de-sac. (CIP Plan No. PW-M-7)
- (m) Motion to award Bid No. 0151 to provide interior mechanical and electrical modifications to increase pumping capacity to the Bellefield sewage pump station located at SE 15th Street and 112th Avenue SE in the amount of \$301,376 to Intermountain Electric, Inc. as low bidder.

Item for Council discussion:

- (d) Ordinance No. 5333 relating to damage claims against the City; amending the procedures to authorize the City Manager to approve full or partial settlements of damage claims up to \$50,000 for payment by the City; amending Section 2 of

Ordinance No. 2695 as last amended by Section 2 of Ordinance No. 4342 and Section 4.36.030 of the Bellevue City Code.

Dr. Davidson expressed concern that the proposed ordinance refers to “full or partial” settlement of damage claims, which could allow a city manager to authorize a series of partial payments for one claim. Mr. Degginger concurred. Deputy Mayor Marshall suggested deleting the word “partial.”

Mr. Sarkozy acknowledged Council’s concerns and said he will ask staff to revise the language of the proposed ordinance.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5337 relating to the mid-biennial review and modification of the 2001-2002 Biennial Budget as required by RCW 35A.34.130 and Ordinance No. 4872; adopting certain modifications to the 2001-2002 Biennial Budget; and establishing an effective date.

➡ Mrs. Marshall moved to adopt Ordinance No. 5337, and Mr. Noble seconded the motion.

Dr. Davidson read Councilmember Lee’s comments into the record. Mr. Lee does not support the proposed budget because the City is not holding the line on spending as much as it should. He objects to the \$50,000 allocation to the East King County Convention and Visitors Bureau because he has no information on how the money will be spent and whether the money will keep the Bureau operating. Mr. Lee is opposed to the City’s practice of passing on King County’s utility rate increases to Bellevue customers. He expressed concern about the economy and the adequacy of the City’s reserve funds.

Mr. Creighton said he voted against the \$50,000 allocation to the East King County Convention and Visitors Bureau but he will support the budget.

At Dr. Davidson’s request, Interim Finance Director Gary Ameling explained the \$1.1 million budget increase. Mr. Ameling said the increase reflects technical adjustments and adjustments to revenues and expenditures to bring them into line with each other. The two substantive changes to the budget are \$200,000 for the consolidated Neighborhood Investment Strategy and the addition of one probation staff position in order to comply with new monitoring requirements. Mr. Ameling said the increase of approximately \$700,000 in the maintenance and operations budget for the General Fund reflects a recalculation of the total \$40 million maintenance and operations budget. Dr. Davidson noted that he prefers annual budgeting over the biennial approach.

➡ The motion to adopt Ordinance No. 5337 carried by a vote of 6-0.

- (b) Ordinance No. 5338 establishing the amount of property taxes to be levied for the year 2002, the second year of the 2001-2002 fiscal biennium.
- Deputy Mayor Marshall moved to adopt the revised version of Ordinance No. 5338, as presented in Council's desk packet, and Mr. Creighton seconded the motion.
- The motion to adopt the revised version of Ordinance No. 5338 carried by a vote of 6-0.
- (c) Ordinance No. 5339 establishing revised charges for water service, water consumption, and water service for fire protection; repealing Ordinance No. 5259 and establishing an effective date.
- Deputy Mayor Marshall moved to adopt Ordinance No. 5339, and Mr. Creighton seconded the motion.
- The motion to adopt Ordinance No. 5339 carried by a vote of 6-0.
- (d) Ordinance No. 5340 establishing revised sewerage service charges and establishing an effective date.
- Deputy Mayor Marshall moved to adopt Ordinance No. 5340, and Mr. Noble seconded the motion.

Dr. Davidson reiterated his ongoing concern regarding a 17.9 percent increase in sewer utility rates. He requested Council's review of policies that are driving these costs.

- The motion to adopt Ordinance No. 5340 carried by a vote of 6-0.
- (e) Ordinance No. 5341 regarding development services under the Bellevue City Code; revising fees for applications requiring construction, land use, fire, survey, sign, transportation, utility, and clearing and grading review and inspection services; amending Ordinance Nos. 5185 and 5262.
- Deputy Mayor Marshall moved to adopt Ordinance No. 5341, and Mr. Degginger seconded the motion.

In response to Dr. Davidson, Planning and Community Development Director Matt Terry explained that the City conducts an annual cost of service study in order to determine appropriate development fee levels based on the Council's cost recovery policy. Following the most recent study, the consultant recommended an increase to \$99 per hour, instead of staff's proposed rate of \$82, based on the sharp decline in workload. Mr. Terry said the City has not increased these fees for at least five years.

Mr. Degginger said the City of Seattle practices full cost recovery and charges \$250 per hour for the same services. He noted that Bellevue's Construction Code Advisory Committee found the proposed increase to be reasonable and competitive with other cities.

➡ The motion to adopt Ordinance No. 5341 carried by a vote of 6-0.

- (f) Ordinance No. 5342 updating the school impact fee schedule for Issaquah School District No. 411; amending Section 22.18.100 of the Bellevue City Code, decreasing the impact fees per single-family dwelling unit from \$4,658 to \$4,186 and increasing the impact fees per multifamily dwelling unit from \$732 to \$779.

➡ Deputy Mayor Marshall moved to adopt Ordinance No. 5342, and Mr. Degginger seconded the motion.

Dr. Davidson will support the ordinance because it reduces impact fees. He is generally opposed to school-related impact fees.

Mr. Degginger noted that the school district's capital facilities plan schedules a 2003 expansion at Sunset Elementary School, which was recently annexed into Bellevue.

➡ The motion to adopt Ordinance No. 5342 carried by a vote of 6-0.

Dr. Davidson questioned the salary for minutes taker on page 11-34 of the Council packet. Assistant City Manager Myrna Basich explained that the annual salary in the pay plan referenced by Dr. Davidson is based on the hourly rate paid to outside (contract) minutes writers for each meeting hour they cover. City Council's minutes writer falls within a different administrative position and salary range.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 8:29 p.m., Mayor Mosher declared the meeting adjourned.

Myrna L. Basich
City Clerk

kaw